

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED

DOC #:

DATE FILED: AUG 09 2013

Case 1:11-cv-04948-LTS-HBP Document 159 Filed 11/08/12 Page 1 of 4

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

RICHARD A. WILLIAMSON, ON BEHALF  
OF AND AS TRUSTEE FOR AT HOME  
BONDHOLDERS' LIQUIDATING TRUST,

Plaintiff,

v.

VERIZON COMMUNICATIONS INC.,  
VERIZON SERVICES CORP.,  
VERIZON CORPORATE RESOURCES  
GROUP LLC, VERIZON DATA SERVICES  
LLC, VERIZON NEW YORK INC.,  
AT&T INC., AT&T OPERATIONS, INC.,  
AT&T SERVICES, INC.,

Defendants.

CIVIL ACTION  
ECF CASE

Civil Action No. 1:11-cv-04948 (LTS)(HP)

**AT&T DEFENDANTS' NOTICE OF  
MOTION FOR LEAVE TO FILE SUR-  
REPLY IN OPPOSITION TO  
PLAINTIFF'S MOTION TO AMEND  
ITS INFRINGEMENT CONTENTIONS**

The within motion for leave to file sur-reply  
is granted. SO ORDERED:

  
Hon. LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE

Defendants AT&T Operations, Inc. and AT&T Services, Inc. (collectively, "AT&T") file this Notice of Motion for Leave to File a Sur-reply in Opposition to Plaintiff's Motion to Amend Its Infringement Contentions. AT&T's Sur-reply in Opposition to Plaintiff's Motion to Amend is attached as Exhibit A.

Plaintiff presents two new arguments in his Reply. Plaintiff now argues that "no amount of due diligence would have discovered information sufficient to accuse AT&T's local ad insertion because it was not publicly available." AT&T's Sur-reply demonstrates how Plaintiff's argument is belied by the technical details at Plaintiff's disposal in the publicly available information. Furthermore, AT&T's Sur-reply addresses Plaintiff's new argument that infringement contentions against Verizon put AT&T on notice of accusations against AT&T's local ad insertion technology, an argument that flies in the face of common sense and the